



UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

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GENERAL GOVERNMENT
DIVISION

B-178618

The Honorable Charles B. Rangel
House of Representatives



Dear Mr. Rangel:

In accordance with your request of April 16, 1973, and subsequent meetings with your office, we have compared the sentences of convicted organized crime figures for the 4-year period July 1, 1968, through June 30, 1972, with fiscal year 1970 and 1972 statistics compiled by the Administrative Office of the U.S. Courts for all convicted criminals. The Administrative Office did not compile statistics by offense categories for fiscal years 1969 and 1971.

During the 4 years, 1,365 criminal defendants, identified by the Department of Justice as being associated with organized crime, were convicted. Their violations comprise 17 offense categories. More than half (61 percent) were convicted for extortion, racketeering, and threats (420);¹ gambling and lottery (209);² and embezzlement and fraud (205).

Enclosure I is a comparison of convicted criminal defendants' sentences by offense category. Enclosure II is

¹Included under this category are 226 organized crime figures convicted of gambling offenses under 18 U.S.C. 1952, interstate and foreign travel or transportation in aid of racketeering enterprises.

²Convicted under 15 U.S.C. 1171-77, transportation of gambling devices; 18 U.S.C. 1084, transmission of wagering information; 18 U.S.C. 1301-4, lotteries; 18 U.S.C. 1953, interstate transportation of wagering paraphernalia.

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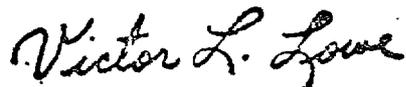
a comparison by district court of the sentences received for gambling and lottery, and narcotics convictions.

The comparisons show that, in most of the offense categories, organized crime figures were more likely than other convicted criminals to receive a prison sentence and that the average length of their prison sentences was in most cases greater than the sentences received by all convicted criminals in fiscal years 1970 and 1972.

In almost all the offense categories the number of convicted organized crime figures is very small compared with all persons sentenced in fiscal years 1970 and 1972. Therefore, we urge caution in drawing conclusions from apparent differences in the types of sentences received and the average months of prison sentences.

We discussed the data in this report with the Department of Justice and the Administrative Office. We plan no further distribution of this report unless you agree or publicly announce its contents.

Sincerely yours,



Victor L. Lowe
Director

Enclosures - 2

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COMPARISON OF SENTENCES RECEIVED
BY CONVICTED CRIMINAL DEFENDANTS

Offense category	Statistical group (notes a and b)	Number sentenced	Type of sentence				Average months in prison sentence
			Prison	Probation	Fine only	Other	
1. Murder, first degree	COCDS	3	3	-	-	-	360.0
	All-1970	6	6	-	-	-	72.0
	All-1972	20	19	1	-	-	6.0
2. Bank robbery	COCDS	15	15	-	-	-	129.6
	All-1970	958	886	70	-	2	139.5
	All-1972	1,419	1,303	116	-	-	124.1
3. Aggravated or felonious assault	COCDS	5	3	1	1	-	6.0
	All-1970	344	192	135	12	5	33.3
	All-1972	380	207	132	34	7	41.9
4. Larceny and theft	COCDS	73	52	19	2	-	57.1
	All-1970	1,828	789	1,016	16	7	32.0
	All-1972	2,592	1,138	1,403	37	14	33.5
5. Embezzlement and fraud	COCDS	205	105	96	14	-	27.7
	All-1970	2,340	625	1,544	147	24	19.6
	All-1972	2,679	792	1,662	168	57	17.2
6. Auto theft	COCDS	6	4	2	-	-	114.0
	All-1970	3,542	2,316	1,188	7	31	35.5
	All-1972	2,224	1,534	678	7	5	35.3
7. Forgery and counterfeiting	COCDS	140	98	42	-	-	38.8
	All-1970	2,971	1,574	1,381	10	6	37.6
	All-1972	4,215	2,066	2,123	15	11	36.1
8. Narcotics, before 5-1-71 (note d)	COCDS	70	67	3	-	-	108.9
	All-1970	919	708	203	4	4	79.5
	All-1972	763	539	223	-	1	70.7
9. Narcotics, after 5-1-71 (note d)	COCDS	10	7	3	-	-	80.6
	All-1972	1,158	818	330	3	7	54.0
10. Controlled substance	COCDS	3	1	2	-	-	84.0
	All-1972	666	361	288	13	4	46.6
11. Extortion, racketeering, and threats (excluding gambling)	COCDS	194	115	73	6	-	57.5
	COCDS	226	66	133	27	-	12.9
	Total	420	181	206	33	-	11.4
12. Gambling and lottery	All-1970	257	150	85	20	2	43.7
	All-1972	467	220	209	35	3	31.2
	COCDS	209	82	109	18	-	13.3
13. Weapons and firearms	All-1970	38	5	27	6	-	(c)
	All-1972	267	80	141	46	-	14.5
	COCDS	71	48	21	2	-	29.8
14. Immigration laws	All-1970	655	284	341	24	6	26.3
	All-1972	1,523	690	773	46	14	22.1
	COCDS	15	7	7	-	1	25.4
15. Liquor, internal revenue	All-1970	4,179	1,455	130	158	2,256	11.7
	All-1972	5,572	2,155	552	275	2,360	11.4
	COCDS	34	11	14	9	-	13.8
15. Liquor, internal revenue	All-1970	1,658	645	972	37	4	14.4
	All-1972	1,552	569	924	55	4	15.6

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ENCLOSURE I

Offense category	Statistical group (notes a and b)	Number sentenced	Type of sentence				Average months of prison sentence
			Prison	Probation	Fine only	Other	
16. Federal statutes (note f)	COCDs	44	21	11	11	1	25.6
	All-1970	1,571	378	883	275	35	27.7
	All-1972	1,267	295	492	452	28	29.9
17. Miscellaneous general offenses	COCDs	42	27	15	-	-	32.0
	All-1970	673	539	114	11	9	35.7
	All-1972	965	740	184	25	16	36.3
Total	COCDs	1,365	732	541	90	2	
	All-1970	21,939	10,532	9,289	727	2,391	
	All-1972	27,729	13,756	10,231	1,211	2,531	

a The number of convicted organized crime defendants (COCDs) sentenced for fiscal years 1969 through 1972.

b "All-1970" and "All-1972" include all convicted criminal defendants.

c Available statistics for "All-1970" and "All-1972" do not show the average sentence when the number of defendants sentenced to prison was less than 25.

d Available data is compiled in periods before and after the Drug Abuse and Prevention Act of 1970, effective May 1, 1971.

e "All-1970" and "All-1972" figures were listed in the general category of extortion, racketeering, and threats. No further division was given.

f Includes (1) Food and Drug Act, (2) national defense laws, (3) obscene mail, (4) Taft Hartley Act, (5) intimidation of witnesses, jurors, etc., (6) explosives, except on vessels, and (7) other Federal statutes.

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COMPARATIVE ANALYSIS OF
SENTENCING FOR NARCOTICS AND GAMBLING AND LOTTERY
CONVICTIONS BY DISTRICT COURT

Offense category	Statistical group		Number sentenced	Type of sentence				Average months of prison sentence	
	Strike force (notes a and b)	District court		Prison	Probation	Fine only	Other		
Narcotics, before 5-1-71 (note d)	Philadelphia	Pa. Eastern	3	3	-	-	-	120.0	
	San Francisco	Calif. Eastern	6	6	-	-	-	36.0	
	Chicago	Ill. Northern	20	0	-	-	-	104.1	
	New Orleans	La. Eastern	4	4	-	-	-	72.0	
	Brooklyn	N.Y. Eastern	37	34	3	-	-	135.2	
	All-1970		919	708	203	4	4	79.5	
	All-1972		763	539	223	-	1	73.5	
Narcotics, after 5-1-71 (note d)	Boston	Conn.	1	1	-	-	-	84.0	
	Miami	Fla. Southern	3	3	-	-	-	96.0	
	Pittsburgh	Pa. Western	1	1	-	-	-	12.0	
	Brooklyn	N.Y. Eastern	5	2	3	-	-	90.0	
	All-1972		1,158	818	330	3	7	54.0	
Controlled substance	Philadelphia	Pa. Eastern	1	1	-	-	-	84.0	
	San Francisco	Calif. Northern	2	-	2	-	-	-	
	All-1972		666	361	288	13	4	44.6	
Gambling and lottery	Brooklyn	N.Y. Eastern	19	10	9	-	-	12.9	
	Cleveland	Ohio Northern	46	2	28	16	-	6.0	
	Manhattan	N.Y. Southern	40	24	15	1	-	6.3	
	Detroit	Mich. Eastern	14	-	14	-	-	-	
	Buffalo	N.Y. Western	16	5	11	-	-	21.6	
	San Francisco	Calif. Northern	12	2	10	-	-	6.0	
	San Francisco	Calif. Eastern	2	1	1	-	-	0.6	
	Chicago	Ill. Northern	7	1	6	-	-	0.6	
	Miami	Fla. Southern	17	17	-	-	-	23.3	
	Pittsburgh	Pa. Western	3	3	-	-	-	6.0	
	Newark	New Jersey	2	2	-	-	-	19.0	
	Philadelphia	Pa. Eastern	10	1	8	1	-	6.0	
	Philadelphia	Pa. Middle	3	2	1	-	-	12.0	
	Los Angeles	Calif. Central	10	6	4	-	-	8.0	
	St. Louis	Mo. Eastern	6	4	2	-	-	7.5	
	New Orleans	La. Eastern	2	2	-	-	-	48.0	
	All-1970		38	5	27	6	-	(c)	
	All-1972		267	80	141	46	-	14.5	
	Gambling (included under extortion, racketeering, and threats)	Chicago	Ill. Northern	18	8	10	-	-	6.1
		Los Angeles	Calif. Central	11	3	8	-	-	1.6
Cleveland		Ohio Northern	25	1	7	17	-	2.0	
St. Louis		Mo. Eastern	11	8	3	-	-	24.8	
Newark		N.J.	50	5	45	-	-	8.5	
Philadelphia		Pa. Eastern	17	6	10	1	-	6.3	
New Orleans		La. Eastern	18	6	12	-	-	22.5	
Pittsburgh		Pa. Western	9	8	1	-	-	15.4	
Baltimore		Maryland	2	-	2	-	-	-	
Buffalo		N.Y. Western	2	2	-	-	-	5.0	
Miami		Fla. Southern	1	-	-	1	-	-	
Brooklyn		N.Y. Eastern	2	2	-	-	-	12.0	
Manhattan		N.Y. Southern	51	16	28	7	-	9.9	
Detroit		Mich. Eastern	6	1	4	1	-	9.6	
St. Louis		Ill. Southern	3	-	3	-	-	-	
All-1970									
All-1972									

^aThe number of convicted organized crime defendants (COCDs) sentenced for fiscal years 1969 through 1972.

^b"All-1970" and "All-1972" include all convicted criminal defendants.

^cAvailable statistics for "All-1970" and "All-1972" do not show the average sentence when the number of defendants sentenced to prison was less than 25.

^dAvailable data is compiled in periods before and after the Drug Abuse and Prevention Act of 1970, effective May 1, 1971.

^e"All-1970" and "All-1972" figures were not available for gambling as listed under extortion, racketeering, and threats.

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